

1714
JUN 09 2004

TRANSMITTAL FORM

OFFICIAL

By fax to 703-872-9306

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|----------------------|------------|---------------------------|----------|
| Attorney Docket No.: | 12969-1 | First Named Inventor (a): | Bitler |
| Application No.: | 09/810,920 | Entry Date: | 03/16/01 |
| Examiner: | Szekely P. | Group Art Unit: | 1714 |

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This Transmittal Sheet is accompanied by

Supplementary Reply to Office Action mailed October 10, 2003, and copy of previously-filed declaration by Dr. Bitler.

10 Fee Calculations (Applicant is a small entity)

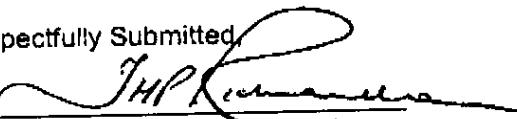
It is believed that no fee is due

Authorization to Charge Deposit Account for Additional Fees

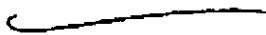
15 The Assistant Commissioner for Patents is hereby authorized to charge any fees required under 37 CFR §§ 1.16 and 1.17 to the following deposit account.

Deposit Account No: 19-2090Deposit Account Name: Sheldon & Mak

20 Respectfully Submitted,



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Docket No. 12969-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 Applicant: Bitler et al Group Art Unit: 1714
Serial No.: 09/810,920 Examiner: Peter Szekely
Filing Date: March 16, 2001
Title: Polymeric Thickeners for Oil-containing Compositions

10 Commissioner for Patents by fax to 703-872-9306
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTARY REPLY

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This supplementary reply is being filed at the suggestion of the Examiner in a telephone conversation between the Examiner and the undersigned on June 9, 2004

On March 4, 2004, Applicants filed, by Express Mail, a Reply to the Office Action
20 mailed October 10, 2003, and accompanying papers. The accompanying papers
included a Declaration by Dr. Bitler. All the papers, including the Declaration by Dr.
Bitler, were received by the Office on March 5, 2004, as shown by the Return Receipt
Postcard sent to the Applicant by the Office. However, the Examiner has stated that the
Declaration is not in the file the present time. It appears, therefore, that the Declaration
25 as been mislaid. A duplicate copy of the Declaration is, therefore, attached for
consideration by the Examiner.

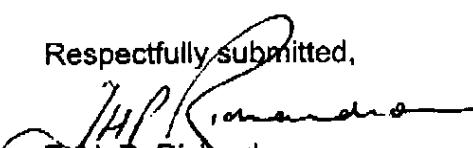
It is respectfully suggested that the Examiner after he has considered the
Declaration, should replace the Office Action mailed June 2, 2004, by a new Office
30 Action which takes account of the Declaration. In this respect, it is noted in particular
that paragraph 6 of the Declaration establishes, as a matter of scientific fact sworn to by
Dr. Bitler, that, in the Mueller reference, the effect of Mueller's additive, at temperatures

between the pour point of the additive-free oil and the pour point of the additive-containing oil, is to make the oil thinner, not thicker. Dr. Bitler also notes that there is no suggestion in the Mueller reference that Mueller's additives can, under any circumstances, have an opposite effect, namely to make the oil thicker. Paragraph 12 of 5 the Declaration, on page 6, lines 14-26, also provides a likely explanation for the fact that Mueller obtained, and directs the reader to obtain, a result opposite to that obtained by the present invention.

If there are any outstanding issues that could usefully be discussed by telephone, 10 the Examiner is asked to call the undersigned.

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Respectfully submitted,


T. H. P. Richardson

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